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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JAMES BOYD,
Plaintiff,

V.

**JACK KENNEDY,
Defendant.**

Civil Action No. 7:08cv00581

FINAL ORDER

By: Samuel G. Wilson
United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ADJUDGED AND ORDERED** that Boyd's complaint is hereby **DISMISSED** without prejudice pursuant to 28 U.S.C. §1915(g), and this case will be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send certified copies of this Order and accompanying Memorandum Opinion to plaintiff.

ENTER: This 17th day of November, 2008.

United States District Judge